

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

JOHN T. LAMONT and PRESTON  
POULTER,

Plaintiffs,

V.

DEAN ASSAF a/k/a DA TALK,  
VICTORIA KUNDERT a/k/a  
VIKKIVERSE, and ETHAN VAN  
SCIVER.

Defendants.

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No. 3:21-cv-1176-K-BN

## ORDER SETTING BRIEFING SCHEDULE

Plaintiffs, invoking the Court’s diversity jurisdiction, bring this action alleging defamation, slander per se, and cyber and statutory libel. *See* Dkt. No. 1.

United States District Judge Ed Kinkeade referred this case to the undersigned United States magistrate judge for pretrial management under 28 U.S.C. § 636(b). *See* Dkt. No. 21.

Defendant Ali “Dean” Assaf, proceeding *pro se*, answered the amended complaint. *See* Dkt. No. 18. And he now moves to dismiss Plaintiffs’ claims against him under Federal Rules of Civil Procedure 12(b)(2) and 12(b)(6). *See* Dkt. No. 26.

Plaintiffs must file a written response to Assaf's motion by **September 20, 2021**. The response must be accompanied by or incorporate a brief, and the response and the brief shall not together exceed 30 pages in length, excluding any table of contents and table of authorities.

And Assaf may file a reply brief, but no additional documents, by **October 4**.

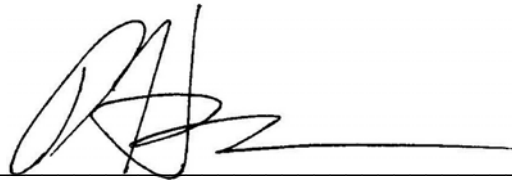
**2021.** The reply shall not exceed 15 pages in length. No supplemental pleadings, briefs, or evidence or other documents may be filed in connection with the motion or response thereto without leave of court.

The deadlines set forth in this order will not be modified except upon written motion for good cause shown. And the Court strongly discourages any request to extend either of these deadlines through a motion that is filed within three business days of the existing deadline and will grant any such motion only upon a showing in the written motion of extraordinary circumstances.

The Court intends to rule on the motion to dismiss based on the parties' written submissions, without hearing oral argument. *See* N.D. TEX. L. CIV. R. 7.1(g) ("Unless otherwise directed by the presiding judge, oral argument on a motion will not be held."). If, while the motion to dismiss is pending, the parties are having serious discussions that might make it unnecessary for the Court to rule on the motion, the parties must immediately advise Shakira Todd in the district clerk's office, at (214) 753-2165, that such discussions are ongoing. And please note that deadlines in this order are for filing or delivery and are not mailing dates.

SO ORDERED.

DATED: August 19, 2021

A handwritten signature in black ink, appearing to be 'D. Horan', written over a horizontal line.

DAVID L. HORAN  
UNITED STATES MAGISTRATE JUDGE